

The following bills were read a second time, and referred to the Judiciary Committee :

A bill to be entitled An Act concerning Evidence;

A bill to be entitled An Act to repeal an Act entitled an Act relative to depositions taken under commission, approved January 11th, 1855, and for other purposes;

A bill to be entitled An Act to authorize the several Judges of the Circuit Courts of the State to hold extra terms, whenever in their opinion the public interest may require the same, and for other purposes.

On motion of Mr. Baker, it was

Ordered, That the Sergeant-at-Arms, Door-Keeper or Messenger of the Senate, be required to attend upon the several Committees of the Senate when called upon so to do; and that the several Standing Committees of the Senate have power to send for persons or papers in all matters severally referred to either of them.

A bill to be entitled An Act amending the charter of the City of Pensacola, for the purpose of extending the powers of the City to aid in the construction of the Alabama and Florida Railroad in Florida;

Was read a second time, amended, and referred to Committee on Corporations.

On motion the rule was waived, and Mr. Eppes moved that Dr. Hawes, the Senator from Putnam, be excused from attendance on the Senate to-morrow;

Which was agreed to.

A bill to be entitled an Act to amend an Act, approved Dec. 22, 1854, entitled an Act to amend an Act to provide for the payment of Jurors and State Witnesses, approved Jan. 8, 1848;

Came up on its second reading.

Mr. Call offered the following amendment :

Be it further enacted, That every Juror or State witness who shall fail to attend any Court to which he is summoned shall be fined by the Judge presiding over said Court in a sum not less than fifty dollars, unless he shall make it satisfactorily to appear to the said Judge, that he was prevented from attending said Court by actual physical inability, or was at the time in actual attendance on some sick person, and that such attendance was necessary in common humanity, and could not have been dispensed with;

Be it further enacted, That the pay of State Witnesses shall in all cases be the same as Jurors.

Which was adopted.

Mr. McElvy moved to amend Sections first and second by striking out "fifteen cents" wherever it occurs and insert "ten cents."

Which was adopted.

After being amended, upon motion of Mr. Eppes, it was ordered

that said bill be laid upon the table for the present, and that 80 copies be printed for the use of the Senate.

Mr. Keitt moved that the Senate adjourn until to-morrow 11 o'clock;

Upon which the yeas and nays were called for by Messrs. Eppes and Baker;

Upon which the vote was :

Yeas—Messrs. Broward, Call, Dawkins, Duncan, Fisher, Hawes, Jones, Keitt, McCall, McElvy and Nicholson—11 :

Nays—Mr. President, Messrs. Baker, Dell, Eppes, Eubanks, Lamar, McQueen, Walker and Welch—9

So the Senate adjourned until to-morrow morning 11 o'clock.

—o—
THURSDAY, December 2d, 1858.

Senate met pursuant to adjournment.

A quorum present.

The Journal of yesterday was read and approved.

Mr. Call moved that W. J. J. Duncan, Senator from the Twelfth District, have leave of absence for one week;

Which was granted.

Notice was given of intention to introduce the following bills at some future day :

By Mr. Call :

A bill to be entitled An Act prescribing the manner of making returns of Elections for Electors for President and Vice-President of the United States ;

A bill to be entitled An Act concerning Foreign Bank Agencies in this State ; and

A bill to be entitled An Act in relation to the circulation of small bills in this State.

By Mr. Fisher :

A bill to be entitled An Act to change the time of holding the Circuit Courts in the Western Circuit of this State.

By Mr. Lamar :

A bill to be entitled an Act for the relief of Jesse J. Finley.

By Mr. Nicholson :

RESOLUTIONS RELATIVE TO THE CONTESTED SEAT OF DUVAL COUNTY.

WHEREAS, On Tuesday last the letter of Dr. A. S. Baldwin, concern-

ing the Senatorial election in the 16th District of this State, was read, and with the accompanying documents referred to the Committee on Elections; And Whereas, the said Committee did meet, and resolved that in the absence of sufficient testimony they report progress to the Senate, and ask that all the papers heretofore laid before the Senate, concerning the contested Senatorial election, be referred to the said Committee on Elections; And Whereas, The said Committee did again meet with all the papers heretofore laid before the Senate concerning said contested Senatorial Election; And Whereas, the resolution of the Senate under said report did not give the Committee full authority further to act: Be it therefore,

Resolved, That all the evidence to sustain Col. John Broward's application to a seat in this Body which was before the Committee on Elections, and on which they based their report recommending him to the seat, be laid before the Senate, together with all testimony in the case by either party of any kind whatsoever proper to be received.

Resolved, That the application of Dr. A. S. Baldwin for a seat in this body, together with the evidence to sustain his application to the same, now in possession of the Committee on Elections, be laid before the Senate.

The yeas and nays being called for by Messrs. Dell and McCall, the result was as follows:

Yeas—Mr. President, Messrs. Dawkins, Eppes, Keitt, Lamar, McCall, Nicholson and Walker—8.

Nays—Messrs. Call, Eubanks, McElvy and McQueen—4.

So the resolution was adopted.

Pursuant to previous notice, the following bills were introduced and placed among the orders of the day:

By Mr. McElvy:

A bill to repeal an Act to secure the better execution of the patrol laws;

Joint resolution in relation to fractional sections on the State line.

By Mr. Call:

A bill to be entitled an Act to amend an Act to amend an Act to authorize the business of Banking;

A bill to be entitled an Act to incorporate a Bank in the City of Fernandina; and

A bill to be entitled an Act to establish a fifth Judicial Circuit in this State.

The Chairman of the Committee on engrossed bills made the following report:

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Sir:—The Committee on Engrossed Bills beg leave to report the following bills as correctly engrossed:

An Act to authorize William McRae to trade free from taxation in this State;

An Act to create and organize the Counties of Suwanee and New River.

Respectfully submitted,

T. B. LAMAR,

Chairman of the Committee on Engrossed Bills.

The Chairman of the Committee on Enrolled Bills made the following report:

The Committee on Enrolled Bills report as correctly enrolled:

A bill to change the name of Abraham Dupont Zylstra.

Respectfully submitted,

L. G. McELVY,

Chairman.

The Chairman of the Committee on Judiciary made the following report.

The Judiciary Committee, to whom was referred An Act to be entitled an Act defining false swearing and punishing the same, have instructed the undersigned to report said bill back to the Senate, and recommend its passage.

T. J. EPPES,

Chairman Judiciary Committee.

Also the following:

The Judiciary Committee, to whom was referred a bill to be entitled An Act to authorize actions at law to be instituted upon all notes and contracts executed by married women, beg leave to

REPORT:

That the policy of said Act commends itself favorably to your Committee, as designed in certain cases to abridge expenses and delay in the collection of the class of debts to which it refers. Your Committee, however, would recommend certain amendments to the same, which, while not altering the main features or design of the bill, tends to preserve the principle underlying all of our laws on the subject of the separate property and interest of the wife, and which, in their opinion, should be preserved in all cases of general or special legislation on the subject. With this view your Commit-

tee have instructed the undersigned to report an additional section, numbered three, to said bill, and with the amendment thus reported to recommend the passage of the same.

T. J. EPPES,
Chairman Judiciary Committee.

Also the following:

The Judiciary Committee to whom was referred a bill to be entitled an Act to authorize the several Judges of the Circuit Courts of the State to hold extra terms, whenever in their opinion the public interests may require the same, and for other purposes, have instructed the undersigned to

REPORT:

That they would recommend that all after section first be stricken out, and that the title of said Act be so amended as to strike out the words "and for other purposes," thus conforming the bill to the section of the same, which they recommend retaining. With these amendments, your committee recommend the passage of said bill.

All of which is respectfully submitted,

T. J. EPPES,
Chairman Judiciary Committee.

Upon motion of Mr. Baker, the rules were waived, to allow him to introduce a motion to refer the bill to be entitled an Act to amend an Act, approved Dec. 22, 1854, as to payment of Jurors and State Witnesses, &c., to a special committee of five;

Upon which, the yeas and nays being called for by Messrs. Dell and McCall, were as follows:

Yeas—Messrs. Baker, Dawkins, Eppes, Fisher, Jones, McCall and Welch—7.

Nays—Messrs. Call, Dell, Duncan, Eubanks, Keitt, Lamar, McElvy, McQueen and Walker—9.

So the motion was lost.

The following message from the House of Representatives were received and placed among the orders of the day.

HOUSE OF REPRESENTATIVES,
December 1st, 1858.

Hon. JOHN FINLAYSON,

President of the Senate:

SIR: The House of Representatives have passed the following bills:

A bill to be entitled An Act for the relief of William Lowe, Tax Assessor and Collector of Monroe county;

A bill to be entitled An Act to legitimize William Robert;

A bill to be entitled An Act to authorize Adin Eleazer Waterman, a minor, to contract and be contracted with; and

A bill to be entitled An Act to change the name of Antonia Wallace to Antonia Crespo.

Very respectfully,

R. B. HILTON,
Clerk House of Representatives.

ORDERS OF THE DAY:

A bill to be entitled an Act to organize the counties of Suwanee and New River;

Came up on its second reading.

Mr. Call moved that the Senate take a recess until 3 o'clock;

Upon which, the yeas and nays were called for by Messrs. Dell and McCall.

Upon which, the vote was:

Yeas—Mr. President, Messrs. Broward, Dawkins, Dell, Eppes, Eubanks, Fisher, Hawes, Jones, Lamar and McElvy—11.

Nays—Messrs. Baker, Call, Duncan, Keitt, McCall, McQueen, Nicholson, Walker and Welch—9.

So said motion was agreed to.

THREE O'CLOCK.

Senate resumed its Session.

A quorum present.

ORDERS OF THE DAY.

A bill to be entitled an Act to organize the Counties of Suwanee and New River;

Came up on its second reading.

Mr. Dell moved to strike out section 13, and insert the following amendment:

That each of the said Counties shall be entitled to one Representative in the General Assembly, to be taken from the representation at present allowed to Columbia County; and each County shall vote for and elect its own representative;

Which was rejected.

The following amendment was offered by Mr. McElvy:

Be it further enacted, That the County of Columbia, as embraced in the above defined boundary, shall have as many representatives as the existing ratio shall entitle her, upon an actual enumeration of her inhabitants, which enumeration shall be taken by order of the

Judge of Probate of said County, and certified to the Secretary of State, who shall order an election at the regular time for the number of Representatives to which said County may be entitled.

Upon which, the yeas and nays were called for by Mr. McCall, and were as follows:

Yeas—Messrs. Baker, Broward, Call, Dawkins, Duncan, Eubanks, Jones, Lamar, McCall, McElvy, McQueen, Nicholson, Walker and Welch—14.

Nays—Mr. President and Mr. Dell—2.

So said amendment was adopted.

The bill and its amendment came up on its third reading, by its title, and put upon its passage, upon which the vote was:

Yeas—Messrs. Baker, Broward, Call, Dawkins, Duncan, Eubanks, Jones, Lamar, McCall, McElvy, McQueen, Nicholson, Walker and Welch—14.

Nays—Mr. President and Mr. Dell—2.

So the bill passed—title as amended.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled An Act to authorize Wm. McRae to trade free from Taxation in this State.

On motion of Mr. McElvy, the following amendment was offered:

That the title of the bill be amended by striking out "Taxation," and inserting "The License now required by Law;"

Which was adopted.

The bill was read a third time, as amended, and put upon its passage, upon which the vote was:

Yeas—Mr. President, Messrs. Baker, Broward, Dawkins, Dell, Duncan, Eppes, Eubanks, Fisher, Jones, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—16.

Nay—Mr. Call—1.

So the bill passed—title as amended.

A bill to be entitled an Act to repeal an Act establishing election precincts in Putnam county;

Was read a second time and ordered for a third reading on to-morrow.

A bill to be entitled an Act to improve the navigation of the Ocklawaha river;

Came up on its second reading;

Which, upon motion of Mr. Call, was dispensed with, and referred to the Executive Department Committee.

A bill to be entitled An Act to define the liability of endorsers of promissory notes and other instruments, and to place them on the same footing as securities;

Came up on its second reading;

Which, upon motion, was dispensed with, and referred to the Judiciary Committee.

A bill to be entitled An Act to divide Duval County;

Was read a second time and ordered to be Engrossed, with the amendment, for a third reading on to-morrow.

House bill to repeal an Act entitled an Act to amend the road law applicable to the County of Duval, approved Dec. 15, 1856;

Was read a second time and placed among the orders for a third reading on to-morrow.

A bill to be entitled an Act for the relief and protection of persons engaged in the log and lumber business in this State;

Was read a second time, and upon motion, was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an Act to make the office of Tax Assessor and Collector in separate and distinct persons;

Which upon motion of Mr. Eppes, was indefinitely postponed.

Resolution relative to the improvement of the Suwanee River;

Came up on a second reading and was referred to the Committee on Internal Improvements, and 80 copies ordered to be printed.

A bill to be entitled an Act to repeal an Act the better to secure the execution of the Patrol laws;

Was read the first time, rules waived, read a second time and ordered to be placed among the orders of the day for to-morrow.

By Mr. McElvy;

Joint Resolution in relation to fractional sections on the State line;

Read first time, rule waived, read second time by its title, and referred to the State of the Commonwealth Committee.

By Mr. Call,

A bill to be entitled an Act to amend an Act to amend an Act to authorize the business of banking in this State;

Was read the first time, rule waived, read second time by its title, and placed among the orders of the day for to-morrow.

By Mr. Call:

A bill to be entitled An Act to incorporate a Bank in the city of Fernandina;

Was read the first time, and on motion of Mr. Keitt, was laid upon the table for the present, and 80 copies ordered to be printed.

By Mr. Call:

A bill to be entitled An Act to establish a fifth Judicial Circuit in this State;

Was read the first time, rules waved, read a second time by its title, and referred to the Judiciary Committee, and 80 copies ordered to be printed.

A bill to be entitled An Act defining false swearing and punishing the same;

Was read the second time, and ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled An Act to authorize the several Judges of the Circuit Courts of this State to hold extra terms, whenever in their opinion, the public interests may require the same, and for other purposes ;

Came up on its second reading, and was ordered for a third reading on to-morrow.

A bill to be entitled An Act to authorize actions at Law to be instituted on all Notes and Contracts executed by married women ;

Came up on its second reading, and on motion, ordered to be engrossed as amended, and placed among the orders for a third reading on to-morrow.

A bill to be entitled An Act to amend an Act, approved December 22, 1854, entitled an Act to amend an Act to provide for the payment of Jurors and State Witnesses, approved January, 8, 1848 ;

Came up on its second reading, to which Mr. Dawkins offered the following amendment :

Which was lost.

Mr. Dawkins moved to amend the bill by striking out the words, in section 1, ten cents for every mile necessary travel going to, and coming from said court, to be estimated from the residence of said Juror to the place of holding the Court, and insert the words "two dollars per day, for every day that he shall attend said Court ; also

The words "ten cents for each mile of necessary travel going to, and from said Court," in section two, and insert in lieu thereof, the words : "two dollars per day for every day that he shall attend said Court, until said witness is discharged."

Mr. Call offered the following amendment :

Be it further enacted, That every Juror and State Witness who shall fail to attend any Court to which he is summoned, shall be fined by the Judge presiding over said Court, in a sum not less than fifty dollars, unless he shall make it satisfactorily to appear to the said Judge, that he was prevented from attending said Court, by actual physical inability, or was at the time in actual attendance on some sick person, and that such attendance was necessary in common humanity, and could not have been dispensed with.

And upon motion of Mr. Baker the yeas and nays were called ;

The vote was as follows :

Yeas—Messrs. Broward, Call, Dawkins, Dell, Duncan, Eubanks, Hawes, Jones, Keitt, Lamar, McElvy, McQueen, Walker and Welch.—14.

Nays—Mr. President, Messrs. Baker, Eppes, Fisher and Nicholson.—5.

So said amendment was adopted, and the bill ordered to be Engrossed for a third reading on to-morrow.

House bill to be entitled An Act for the relief of Wm. Lowe, Tax Assessor and Collector of Monroe County ;

Was read the first time, and ordered to be placed among the orders of the day for to-morrow.

House bill to be entitled An Act to change the name of Antonia Wallace to Antonia Crespo ;

Was read the first time, and ordered to be placed among the orders of the day for to-morrow :

House bill to be entitled An Act to authorize Adin Eleazer Waterman, a minor, to contract and be contracted with.

Came up on its first reading, and was ordered to be placed among the orders of the day for to-morrow.

House bill to be entitled An Act to legitimize Wm. Robert ;

Came up on its first reading, and was ordered to be placed among the orders of the day for to-morrow.

Mr. Lamar moved to waive the rules for the purpose of introducing a resolution, viz :

WHEREAS, The Senate did admit John Broward to his seat in this body in the absence of any other claimant to a seat from the 16th District ; And Whereas, A. S. Baldwin now claims said seat ; therefore be it

Resolved, That the whole of the evidence in reference to the said contested seat, together with all papers, memorials and documents in relation thereto, be referred to the Committee on Elections, and that they do proceed to investigate the said case, without reference to the question whether the said A. S. Baldwin or the said John Broward is contestant, and without prejudice to the said Baldwin on account of the former action of the Senate in admitting said Broward to his seat, and report said evidence with their opinion thereon to the Senate.

Which resolution was adopted.

On motion of Mr. Call, the Senate adjourned until to-morrow 10 o'clock, A. M.

FRIDAY, December 3d, 1858.

The Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as chaplain.

The Journal of yesterday was read, amended and approved.

Mr. Dawkins stated that his vote was recorded wrong on the a-